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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,478	02/12/2004	Nicola Funnell	1578.607	2295

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EXAMINER

MANOHARAN, MUTHUSWAMY GANAPATHY

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 05/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/777,478	Applicant(s) FUNNELL, NICOLA	
	Examiner Muthuswamy G. Manoharan	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2617

The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Regarding claims 1 and 7, Applicant recites, "when the same system information block information element relating to a cell information list is included in both the system information block of type 11 and the system information block of type 12, applying the system information associated with the system information block information element in the system information block of type 11 before applying the system information associated with the system information block information element in the system information block of type 12". It is not clear, why one has to apply the system information block of type 11 before applying the system information associated with the system information block information element in the system information block of type 12, when the same information (block information element relating to a cell information list) is included in both the system information block of type 11 and the system information block of type 12. Examiner, therefore, assumes **same type of information** rather than **same information (duplicate information)**.

Response to Arguments

Applicant's arguments filed on 01/31/2006 have been fully considered.

Reference A teaches

(1) system information block shall be assembled in ascending order with respect to the segment index (8.1.1.1.4; lines 1-3).

(2) system information block 11 and system information block 12 contain the same type of information elements (**SIB 12 contains “FACH measurement occasion info and measurement control system information” and SIB 11 also contains “FACH measurement occasion info and measurement control system information”** ; section 10.2.48.14 and 10.2.48.15).

(3) system information block type 12 follows system information block type 11 (“SIB 12 indicator”, since system information block type 11 contains information about whether SIB12 is broadcast in the cell).

Examiner respectfully disagrees with Applicant's assertion on Page 5 with the remarks, “Review of reference A, the 3GPP document...type 11 and type 12”. In view of (2), it is inherent that same information block element is included in both the system information block type 11 and type 12. Also, SIB indicator (“TRUE”) indicates that SIB12 is broadcast in the cell.

Examiner respectfully disagrees with Applicant's assertion on Page 7 with the remarks, “reference A is silent pertaining to the order upon which the IE's should be applied”.

In view of (1), applying the information in ascending order is inherent when the system information block 11 and system information block 12 contain the same type (or

related) of information elements and is an intuitive way. Also, Applicant assumed SIB 12 is the "preferred SIB" and did not indicate where the Reference teaches that.

Since the SIB 11 contains information about the SIB 12 ("SIB indicator"; section 10.2.48.8.14). Therefore, SIB 11 has to be processed before SIB 12 to know whether SIB 12 is broadcast in the cell. Also, processing SIB 12 implies the SIB has been processed before.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4 and 5-7 are rejected under 35 U.S.C. 102(e) as being anticipated by 3GPP (TS 25.331 v3.16.0 (2003-9)) (hereinafter Reference (A)).

Regarding claim 1, Reference (A) teaches a method for handling system information in a mobile telecommunications system, the system comprising a network of a plurality of cells and at least one user equipment device, the method comprising, in the user equipment device: receiving a system information block of type 11 ("system Information Block type 12" in Section 8.1.1.6.11) and a system information block of type 12 ("system Information Block type 12" in Section 8.1.1.6.12), the system information block of type 11 relating to idle and connected mode (line 2, 14, and 22 in Section

8.1.1.6.11) and the system information block of type 12 relating to connected mode (line 1 in Section 8.1.1.6.12); each of the system information blocks of type 11 and 12 relating to measurement information (lines 7-9, lines 24-28 and lines 31-32 in Section 8.1.1.6.11; lines 14-53 in Section 8.1.1.6.12) and including at least one system information block information element (lines 29-31 in Section 8.1.1.6.11) and associated system information ("measurement identity", line 20 in Section 8.1.1.6.11);

for any system information block, information element relating to a cell information list, determining whether the same system information block information element is included both in the system information block of type 11 and the system information block of type 12 (lines 49-50 in Section 8.1.1.6.11); and

when the same system information block information element relating to a cell information list is included in both the system information block of type 11 and the system information block of type 12, applying the system information associated with the system information block information element in the system information block of type 11 before applying the system information associated with the system information block information element in the system information block of type 12 (Section 8.1.1.4, lines 1-3; Section 8.5.23, lines 6-15).

Regarding claim 2, Reference (A) teaches a method according to claim 1, wherein the system information block information element is selected from the following system information block information elements; an information element relating to an intra-frequency cell information list (Section 10.3.7.33), an information element relating

to an inter-frequency cell information list (Section 10.3.7.13) and an information element relating to an inter-Radio Access network (RAT) cell information list (Section 10.3.7.23).

Regarding claim 3, Reference (A) teaches a method according to claim 1 wherein the system information block information element is any of the following: "intra-frequency cell info list", "inter-frequency cell info list" and "Inter-RAT cell info list" (lines 28-30 in Section 8.1.1.6.11 and lines 8-10 in section 8.1.1.6.12).

Regarding claim 4, Reference (A) teaches user equipment device for a mobile telecommunications system, the system comprising a network of a plurality of cells ("cells" on Page 56, line 6) and at least one user equipment device ("UE" on Page 56, line 8), the user equipment device being arranged to carry out the steps of claim 1.

Regarding claim 6, Reference (A) teaches a method for handling system information in a UMTS mobile telecommunications system, the system comprising a network of a plurality of cells and at least one user equipment device, the method comprising, in the user equipment device:

receiving a system information block of type 11 ("system Information Block type 12" in Section 8.1.1.6.11) and a system information block of type 12 ("system Information Block type 12" in Section 8.1.1.6.12), the system information block of type 11 relating to idle and connected mode (line 2, 14, and 22 in Section 8.1.1.6.11) and the system information block of type 12 relating to connected mode (line 1 in Section 8.1.1.6.12), each of the system information blocks relating to measurement information (lines 7-9, lines 24-28 and lines 31-32 in Section 8.1.1.6.11; lines 14-53 in Section 8.1.1.6.12) and including at least one system information block information element

(lines 29-31 in Section 8.1.1.6.11) and associated system information ("measurement identity", line 20 in Section 8.1.1.6.11); for any system information block information element relating to a cell information list, determining whether the same system information block information element is included both in the system information block of type 11 and the system information block of type 12 (lines 49-50 in Section 8.1.1.6.11), and when the same system information block information element relating to a cell information list is included in both the system information block of type 11 and the system information block of type 12, applying the system information associated with the system information block information element in the system information block of type 11 before applying the system information associated with the system information block information element in the system information block of type 12 (Section 8.1.1.4, lines 1-3; Section 8.5.23, lines 6-15).

Regarding claim 7, Reference (A) teaches a method for handling system information in a 3G UMTS mobile telecommunications system, the system comprising a network of a plurality of cells and at least one user equipment device, the method comprising, in the user equipment device: when System information Block (SIB) 11 and SIB 12 are received with information elements relating to any of "intra-frequency cell info list", "inter-frequency cell info list" and "Inter-frequency cell info list" (lines 28-30 in Section 8.1.1.6.11 and lines 8-10 in section 8.1.1.6.12) then the system information associated with the system information block information element in SIB 11 is applied before the system information associated with 20 the corresponding system information

block information element in SIB 12 (Section 8.1.1.4, lines 1-3; Section 8.5.23, lines 6-15).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Reference (A) in view of Laitinen et al. (hereinafter Laitinen) (US 6765891).

Regarding claim 5, Reference (A) teaches all the particulars of the claim 1, except a computer program product comprising program code means stored on a computer readable medium when the program is run on a computer. However, Laitinen teaches in analogous art, (Col. 4, lines 29-40) computer program product comprising program code means stored on a computer readable medium when the program is run on a computer. Therefore, it would be obvious to one of ordinary skill in the art at the time invention to implement the method using a computer program product comprising program code means stored on a computer readable medium when the program is run on a computer. This modification provides a method of implementation of Radio Resource Control protocol for the UE-UTRAN radio interface.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Muthuswamy G. Manoharan whose telephone number is 571-272-5515. The examiner can normally be reached on 7:30AM-4: 30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



LESTER G. KINCAID
SUPERVISORY PRIMARY EXAMINER